

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RONALD L. BASKETT,

Plaintiff,

v.

UNITED STATES GOVERNMENT, et al.,

Defendants.

CASE NO. C19-0152-RAJ

REPORT AND RECOMMENDATION

INTRODUCTION AND SUMMARY CONCLUSION

Plaintiff Ronald L. Baskett, who is currently incarcerated at Spokane County Jail in Spokane, Washington, filed an amended application to proceed *in forma pauperis* (“IFP”) with a civil action. (Dkt. 5.) For the reason described below, the Court recommends denying plaintiff’s application to proceed IFP based on the three-strikes rule of 28 U.S.C. § 1915(g), and directing him to pay the \$400 filing fee in order to proceed with his complaint.

A prisoner may not proceed IFP in a civil action if he or she has, on three or more prior occasions, brought civil actions that were dismissed on the grounds that they were frivolous, malicious, or failed to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury. *See* 28 U.S.C. § 1915(g). Plaintiff is a prolific litigator.

This court has dismissed with prejudice more than three complaints filed by plaintiff as frivolous and/or failing to state a claim on which relief may be granted. *See, e.g., Baskett v. Migchelbrink*, C06-5200-RJB; *Baskett v. Bovenkamp*, C06-5150-RJB; *Baskett v. United States Gov't*, C06-1428-RSL; *Baskett v. King County Department of Corrections*, C06-338-RSM; *Baskett v. Quinn*, C06-266-RSL; *Baskett v. Agar*, C05-5743-FDB. Plaintiff is therefore a “three strikes” litigant. Nothing in the current IFP application or proposed complaint suggests plaintiff is under imminent danger of serious physical injury. (*See* Dkts. 1, 1-1 & 5.)

Accordingly, the Court recommends DENYING plaintiff’s application to proceed IFP (Dkt. 5), and directing him to pay the \$400 filing fee within **thirty (30) days** of the date of the Order adopting this Report and Recommendation. The Clerk is directed to send copies of this Order to plaintiff and to the Honorable Richard A. Jones.

DEADLINE FOR OBJECTIONS

Objections to this Report and Recommendation, if any, should be filed with the Clerk and served upon all parties to this suit within **twenty-one (21) days** of the date on which this Report and Recommendation is signed. Failure to file objections within the specified time may affect your right to appeal. Objections should be noted for consideration on the District Judge’s motions calendar for the third Friday after they are filed. Responses to objections may be filed within **fourteen (14) days** after service of objections. If no timely objections are filed, the matter will be ready for consideration by the District Judge on **March 22, 2019**.

DATED this 25th day of February, 2019.



Mary Alice Theiler
United States Magistrate Judge